

Representative Stewart E. Barlow proposes the following substitute bill:

REAL ESTATE FUND AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stewart E. Barlow

Senate Sponsor: _____

LONG TITLE

General Description:

This bill establishes provisions for the acquisition of certain property surrounding the governor's mansion.

Highlighted Provisions:

This bill:

- ▶ establishes an expendable special revenue fund to receive private donations for the purchase of certain property surrounding the governor's mansion;
- ▶ allows the Division of Facilities Construction and Management to require matching private donations for public funds appropriated under this bill;
- ▶ specifies how donations received and appropriations made under this bill are required to be expended; and
- ▶ establishes a repealer for certain provisions.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2020:

- ▶ to the Capital Budget - DFCM Capital Projects Fund, as an ongoing appropriation:
 - from the General Fund, \$250,000, subject to intent language stating that the appropriation be expended in accordance with the provisions of this bill.

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **63I-2-267**, as last amended by Laws of Utah 2013, Chapter 278

30 **67-1-9**, as last amended by Laws of Utah 2001, Chapter 9



32 *Be it enacted by the Legislature of the state of Utah:*

33 Section 1. Section **63I-2-267** is amended to read:

34 **63I-2-267. Repeal dates -- Title 67.**

35 Subsection 67-1-9(8)(b)(ii), relating to the purchase of real property from a willing
36 seller, is repealed on July 1, 2023.

37 Section 2. Section **67-1-9** is amended to read:

38 **67-1-9. Governor's residence -- Sources of funds.**

39 (1) As used in this section:

40 (a) "Commission" means the Executive Residence Commission established in Section
41 67-1-8.1.

42 (b) "Division" means the Division of Facilities Construction and Management.

43 (c) "Fund" means the Governor's Mansion Expendable Special Revenue Fund created
44 in Subsection (4).

45 (d) "Project" means the governor's mansion grounds enhancement project described in
46 Subsection (8).

47 ~~[(1)]~~ (2) The Kearns' mansion [shall be] is the official residence of the governor.

48 ~~[(2)]~~ (3) The building board may apply for, accept, and expend funds from federal and
49 other sources for [carrying out the purposes of] implementing this section and Section 67-1-8.1
50 [and this section].

51 (4) (a) There is created the "Governor's Mansion Expendable Special Revenue Fund"
52 as an expendable special revenue fund composed of private donations deposited under
53 Subsection (5)(b).

54 (b) The division shall administer the fund.

55 (5) The commission shall:

56 (a) solicit and collect private donations for the purposes described in Subsection (8);

57 and

58 (b) deposit private donations collected under Subsection (5)(a) into the fund.

59 (6) (a) The division shall account separately for money appropriated by the Legislature
60 to the division's capital projects fund for the project.

61 (b) The division may only expend money in the fund and legislative appropriations for
62 the project for a purpose described in Subsection (8) in accordance with Subsection (7)(a) or
63 (b).

64 (7) The division shall administer money in the fund and from legislative appropriations
65 for the project:

66 (a) through a matching plan under which the division may not expend money from
67 legislative appropriations for the project unless the division, at the same time, also expends an
68 equal or greater amount of money from the fund; or

69 (b) through an unrestricted plan under which the division may expend money in the
70 fund or from legislative appropriations for the project at any time when the division is ready to
71 make an expenditure for a purchase or capital improvement described in Subsection (8).

72 (8) (a) The division shall expend money in the fund and from legislative appropriations
73 for the project for a governor's mansion grounds enhancement project to:

74 (i) subject to Subsection (8)(b), purchase all remaining real property that the state does
75 not currently own on the city block on which the governor's mansion is located, bounded by
76 First Avenue on the north, G Street on the west, South Temple on the south, and H Street on
77 the east; and

78 (ii) make capital improvements to real property that the state owns or acquires on the
79 city block described in Subsection (8)(a)(i) in order to improve:

80 (A) parking for and access to the governor's mansion; and

81 (B) grounds in connection with the improvements described in Subsection
82 (8)(a)(ii)(A).

83 (b) The division:

84 (i) shall consult with the commission in making a purchase or capital improvement
85 described in Subsection (8)(a);

86 (ii) may purchase real property under Subsection (8)(a) only from a willing seller at fair
87 market value; and

88 (iii) may not expend money from the fund or from legislative appropriations for the
89 project in a manner that is not authorized by this section.

90 (c) (i) The division shall comply with Section 9-8-404 regarding the historical
91 preservation of any real property the division acquires or improves under this section.

92 (ii) A municipality may not prohibit the acquisition or improvement of a property
93 described in this section solely for historical preservation purposes if the division complies
94 with Subsection (8)(c)(i).

95 (9) The Legislature may not make appropriations for the project that total more than
96 \$2,000,000.

97 **Section 3. Appropriation.**

98 The following sums of money are appropriated for the fiscal year beginning July 1,
99 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for
100 fiscal year 2020. The Legislature has reviewed the following capital project funds. The
101 Legislature authorizes the State Division of Finance to transfer amounts between funds and
102 accounts as indicated.

103 ITEM 1

104 To Capital Budget - DFCM Capital Projects Fund

105 From General Fund

\$250,000

106 Schedule of Programs:

107 Capital Budget - DFCM Capital Projects Fund

\$250,000

108 The Legislature intends that the Division of Facilities Construction and Management
109 expend money appropriated under this item for the project described in Section 67-1-9.